

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|------------------------|
| In re: the Patent Application of Alan HAAKSMA, et al. |) | |
| |) | Before the Examiner |
| |) | Robert D. RINES |
| Application No. 09/925,571 |) | |
| |) | Art Unit 3626 |
| Application Filing Date: August 9, 2001 |) | |
| |) | |
| METHOD AND SYSTEM FOR CREATING |) | Date: February 6, 2009 |
| A CONVENIENTLY ACCESSIBLE |) | |
| PORTABLE MEDICAL HISTORY |) | |

SECOND DECLARATION OF ALAN HAAKSMA UNDER 37 CFR § 1.131

I, Alan Haaksma, declare the following:

1. I am Alan Haaksma, a co-inventor of the subject matter described and claimed in the patent application identified above (the "Application").
2. I have personal knowledge of the facts set forth in this Declaration regarding the conception and diligent reduction to practice of the invention described and claimed in the Application.
3. My co-inventor, Dustin Ide, and I conceived the invention disclosed and claimed in the Application (at least that in claims 1-11 and 13-44) (the "Invention in the Claims") before February 6, 2000 (the "Reference Date") and engaged in diligent efforts to reduce it to practice from a date before the Reference Date continuously until it was actually or constructively reduced to practice.
4. Dustin Ide and I conceived of the Invention in the Claims long before the Reference Date.
5. Ide and I decided to establish a business entity to commercialize the Invention in the Claims. We reserved an Internet domain (lifelinecd.com) on October 21, 1999, shown in the "Record created on" field of the WHOIS report in Appendix A to this Declaration, for use by that business entity.
6. We established a corporation called The Statum Group Incorporated ("Statum"), the previous assignee of this application, and in connection with Statum we created a draft "Business Plan," a portion of which is attached as Appendix B to this Declaration.

7. Our conception of the Invention in the Claims and some of our subsequent diligence to reduce it to practice are chronicled in Appendix B, beginning at least with the entry in the fifth bullet: "Q3/99 The CD Solution is adopted and The LifeLineCD comes to life, a simple migration from our Internet solution. We now have the ability to implement the optimum solution, given changing customer preferences and technical developments." Appendix B is taken from a draft Business Plan, the remainder of which includes confidential business information proprietary to Statum, but is available for non-public disclosure to the Office if necessary.

8. The Business Plan included the section describing the technology we developed, and that section was attached as Annex A to my earlier evidentiary Declaration in this application.

9. The Invention in the Claims provided the technological basis for creation of Statum as a new business enterprise in Ontario, Canada, on March 13, 2000. Dustin Ide and I, then we at Statum worked diligently to produce a working system embodying the Invention in the Claims from at least as early as the Reference Date until such an embodiment was completed and demonstrated to The Trillium Health Center in Mississauga, Ontario, in the 4th calendar quarter of 1999.

10. I personally conveyed a copy of a version of the Business Plan to my patent attorney in Canada at least as early as May 2000. Dustin Ide and I, then we at Statum worked diligently to produce a marketable product and patent-ready description of the Invention in the Claims from at least as early as the Reference Date until that patent attorney filed patent applications on behalf of Statum on July 16, 2001, and January 15, 2003.

I provide these statements under penalty of perjury pursuant to 18 U.S.C. §1001.



Alan Haaksma

February 6, 2009
Date

Appendix A

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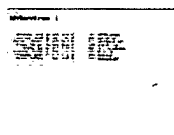
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Administrative Contact , Technical Contact :

Ashpaugh, Anthony
tashpaug@GEMMSNET.COM
201w 103rd St.
Suite 140
Indpls, IN 46290
US
Phone: 317-819-5060
Fax: 317-819-5071

Record expires on 21-Oct-2009

Record created on 21-Oct-1999

Database last updated on 27-Feb-2007

Domain servers in listed order:

[Manage DNS](#)

[NS33.WORLDDNIC.COM](#)

[NS34.WORLDDNIC.COM](#)

[205.178.190.17](#)

[205.178.144.17](#)

[Show underlying registry data for this record](#)

Current Registrar: NETWORK SOLUTIONS, LLC.

IP Address: [68.23.1.123](#) (ARIN & RIPE IP search)

IP Location: US(UNITED STATES)-INDIANA-INDIANAPOLIS

Record Type: Domain Name

Server Type: IIS 6

Lock Status: clientTransferProhibited

Web Site Status: Active

DMOZ no listings

Y! Directory: [see listings](#)

Web Site Title: index.gif

Secure: No

E-commerce: No

Traffic Ranking: Not available

Data as of: 22-Apr-2008

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Appendix B

9. Implementation

Significant Development Milestones: **(ALAN, DUSTIN & ROSS - PLEASE REVIEW TO ENSURE THIS IS CURRENT)**

- 1998 Haaksma and Ide perceive need for secure access to an individuals medical information.
- Q1/99 Initial software development to post medical information to a secured web site.
- Q2/99 Consumer research of concept and pricing in Toronto
- Privacy is a major issue and our research indicated the public's perception that the Internet is not a secure medium to access medical information.
- Q3/99 The CD solution is adopted and The LifeLineCD comes to life, a simple migration from our Internet solution. We now have the ability to implement the optimum solution, given changing customer preferences and technical developments.
- Q1/00 The Statum Group is incorporated. Intellectual property filed
- Q1/00 The Marketing Program Company is hired to create our corporate identity and perform market research. 10,000 pcs mailing to physicians across introducing the LifeLineCD
- Q1/00 Statum and KeyFacts Canada form partnership to gather medical records for production of the LifeLineCD
- Q1/00 The Trillium Health Center commits to incorporating The LifeLineCD into their new facility that opens in November 2000. Trillium would also like to host the launch of The LifeLineCD.
- Q2/00 Statum approaches The Kings Medical Centre, Medcan, Medisys Canadian Breast Cancer Foundation and Hamilton Health sciences Corp to introduce the technology and future partnerships.
- Q2/00 Statum hires TechMark Partners for support with Marketing, Product Launch and market penetration
- Q3/00 Statum makes a major software shift to an ASP (Application Service Provider)
- Q3/00 The LLCD is a hit at the OMEGA conference of health management administrators.
- Q3/00 Statum embarks on the search for its first CEO, Advisory Board and Board of Directors.
- Q3/00 Vivacare.com (Canada's largest online drugstore) and Statum enter into a Letter of Intent to co-brand, co-market our individual products and services. Statum enhances software to refill prescription directly from the LifeLineCD.

- Q3/00 Presentation to Hamilton Health Sciences Corporation.
- Q3/00 Presentation to Medic Alert to investigate joint marketing opportunities
- Q3/00 Selection of Advisory Board
- Q3/00 Strategic relationship with First Databank to supply health information database.
- Q3/00 HMO profiles, issues and priorities
- Q4/00 MDS labs approaches Statum for pilot program
- Q4/00 Peterborough Clinic and Trillium Health Centre approaches Statum for pilot program.
- Q4/00 Strategic relationship formed with CoolWater/e-Witness to develop ASP solution.
- Q4/00 Ross McKenzie named Chairman of the Board
- Q1/01 Work with Peterborough Clinic to establish key software parameters; set up patient research; develop process and pricing model for 13-week pilot test
- Q1/01 Contract with The Trillium Health Centre for similar pilot test
- Q1/01 Develop marketing materials for health facility pilot tests
- Q1/01 Health Insurance Portability Act (HIPPA) effective February 26, 2001 in the USA
- Q1/01 CoolWater/e-Witness awarded Entrust-Ready status for its E-Witness PKI Plugin, a leading electronic signature and encryption solution for web applications. The US Federal Government cites PKI as "the only mature technology available today to meet the digital signature standards."
- Q1/01 Completion of LLCD and ASP software comply with HL7 and HIPPA industry standards

• Q1-Q2-00 Pilot test Trillium Complete

Q2 - 01 2nd round financing to be complete

Q3 - product rollout to High Profile HMO's / Clinics